

U.S. Department of Justice



*United States Attorney
Southern District of New York*

86 Chambers Street
New York, New York 10007

November 7, 2024

BY ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2203
New York, NY 10007

Re: *Knight First Amendment Institute v. U.S. Dep't of Homeland Security et al.*,
No. 17 Civ. 7572 (ALC)

Dear Judge Carter:

I write respectfully on behalf of both sides in the above-referenced FOIA action to provide a status update.

As detailed in previous status reports, all defendants in this case have completed searching for, processing, and producing documents responsive to the FOIA requests at issue. As we have also noted, Plaintiff has agreed to dismiss with prejudice all claims in this action (except for any claims for attorneys' fees and costs) against the Department of Justice and two components of the Department of Homeland Security (DHS): United States Citizenship and Immigration Services and U.S. Customs and Border Protection. The agencies or components remaining in this action are therefore Immigration and Customs Enforcement (ICE), the Department of State, and DHS itself.

As the parties also previously detailed, after productions were complete, Plaintiff identified certain records produced by these remaining agencies that contain redactions that Plaintiff might challenge through a motion for summary judgment, and Plaintiff asked the agencies to prepare draft Vaughn indexes further explaining the bases for the exemptions. The agencies previously provided these drafts to Plaintiff. Since the last status report, the parties have discussed certain questions that Plaintiff has raised about the draft indexes. The parties intend to continue to confer about any remaining issues.

To allow these discussions to continue, the parties respectfully propose to file a further status update by Monday, December 9, 2024.

I thank the Court for its attention to this matter.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Peter Aronoff
PETER ARONOFF
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, NY 10007
Tel: (212) 637-2697
Email: peteraronoff@usdoj.gov

cc: Counsel for Plaintiff (by ECF)